

Assembly Joint Resolution

No. 53

Introduced by Assembly Member Huffman

April 3, 2008

Assembly Joint Resolution No. 53—Relative to greenhouse gas emissions.

LEGISLATIVE COUNSEL'S DIGEST

AJR 53, as introduced, Huffman. Air resources: greenhouse gas emissions.

This measure would encourage the United States Congress and the President of the United States to support the Reducing Global Warming Pollution from Vehicles Act of 2008 in the 110th Congress, which would permit California and other states to implement their standards to reduce greenhouse gas emissions from motor vehicles.

Fiscal committee: yes.

1 WHEREAS, California has implemented more stringent motor
2 vehicle air emissions regulations than the federal government for
3 over 40 years; and
4 WHEREAS, In recognition of the pioneering role of the state
5 in protecting public health and welfare from motor vehicle
6 emissions, the United States Congress enacted subdivision (b) of
7 Section 209 of the federal Clean Air Act (42 U.S.C. Sec. 7543(b))
8 that allows the Administrator of the United States Environmental
9 Protection Agency (Administrator) to waive federal preemption
10 of state motor vehicle standards established; and

1 WHEREAS, Once a waiver is granted to California for that
2 regulation, other states may adopt the vehicle emission standards
3 established by the California; and

4 WHEREAS, According to legal papers filed by the California
5 Attorney General, of the approximately 98,000 comments in the
6 docket of the United States Environmental Protection Agency,
7 more than 99.9 percent of those comments supported the petition
8 of the state; and

9 WHEREAS, Notwithstanding that support, on December 19,
10 2007, Administrator Stephen Johnson denied the waiver request
11 of California, dated December 21, 2005; and

12 WHEREAS, According to the Congressional Research Service,
13 California has requested waivers of preemption under subdivision
14 (b) of Section 209 of the federal Clean Air Act (42 U.S.C. Sec.
15 7543(b)) for vehicle emission standards more than 50 times since
16 that provision was enacted, and the Administrator has never denied
17 such a request, but instead always granted the requests, in whole
18 or in part; and

19 WHEREAS, The Administrator sought to justify the denial of
20 the waiver on the basis that the national fuel economy standards
21 for vehicles enacted by the federal Energy Independence and
22 Security Act of 2007 would be “more effective” at reducing
23 emissions than the California standards; and

24 WHEREAS, An analysis by the State Air Resources Board
25 shows that the California standards, once fully adopted, would
26 result in, by 2020, twice the amount of carbon dioxide cumulative
27 reduction emissions in California and an 80 percent greater
28 reduction in carbon dioxide emissions nationally, than would be
29 achieved under the federal act; now, therefore, be it

30 *Resolved by the Assembly and the Senate of the State of*
31 *California, jointly*, That the Legislature of the State of California
32 hereby encourages the United States Congress and the President
33 of the United States to support the Reducing Global Warming
34 Pollution from Vehicles Act of 2008 (Sen. No. S. 2555, 110th
35 Cong., 2nd Sess. (2008)), which would permit California and other
36 states to implement their standards to reduce greenhouse gas
37 emissions from motor vehicles; and be it further

38 *Resolved*, That the Chief Clerk of the Assembly transmit copies
39 of this resolution to the President and Vice President of the United
40 States, to the Speaker of the House of Representatives, to the

- 1 Majority Leader of the Senate, and to each Senator and
- 2 Representative from California in the Congress of the United
- 3 States.

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